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*A Review of the Memorial of the National Medical Society in the District of Columbia, and of the Report of Senator Sumner from the Committee on the District of Columbia on the Bill to Repeal the Charter of the Medical Society of the District of Columbia.*

"Black spirits and white, red spirits and grey,  
Mingle, mingle, mingle, you that mingle may."

A few weeks ago, as we have learned from reports in the public prints, two or three medical men, soon what known in this District, aided and abetted by a handful of obscure and motley tyros in medicine organized themselves into a society to be known by the high sounding and paradoxical title of "The National Medical Society of the District of Columbia."

It seems that this body determined to apply to Congress for a charter, among the provisions of which should be one repealing the charter of "The Medical Society of the District of Columbia," first granted in the year 1819 and renewed in 1838, and another provision requiring the veterans in the profession belonging to the old society to appear before a board of this new body and undergo an examination into their professional qualifications, or exhibit their diplomas in order to obtain a license to practice their profession. These men thus assuming, in their arrogance, to ask for the right to isolate the professional knowledge of the grey heads who have taught some of them what they know of medicine and professionally attended not only at their births but probably at those of their fathers and their mothers.

It appears, also that Senator Sumner, on December 9, introduced into the Senate a resolution, which was referred to the Committee on the District of Columbia, inquiring into the expediency of repealing the charter of the Medical Society, and, as pretended reasons for the repeal, making statements without any foundation in fact, even quoting verbatim a regulation of the Medical Association of the District of Columbia, (an entirely different body from the society,) as an existing and enforced law of the said society.

It being evident that the Senate and the committee were about to act on false information, the society thus publicly and untruthfully arraigned, thought proper to make an appeal to the public, setting forth the facts in the matter and explaining its true position.

In answer to this appeal a memorial has appeared purporting to be signed by some ten individuals as a committee of the "National Medical Society of the District of Columbia." A gentleman whose name was appended to this memorial published a card on the following morning, informing the public that his signature had been used without his knowledge or consent, the first intimation he had of it being its appearance in print. A parallel instance of such a fact is the published fact that at one of their meetings they had fixed upon the names of a certain number of medical men as applicants for a charter when one member, less conspicuous than the rest, moved that, as the two most prominent men so named had never given any assurance of co-operation with them, their consent should be first obtained to attach their names to such an application. They may give some idea of the amount of responsibility to be placed upon state-

ments emanating from such a source. We can hardly look for a clear stream from so muddy a spring.

In its appeal, the Medical Society did not profess to know the origin of the false and malicious statements referred to. But, in its memorial, this National Medical Society of the District of Columbia assumes itself to be thus indicated and accused, and the avidity with which it appropriates the soft impeachment of apprehension, referred to by the late Rev. Sidney Smith. A gentleman seated in a coffee-house, writing to a friend, became aware that a tall Irishman was looking over his shoulder, taking that liberty which Parmenio took with Alexander, but instead of placing his seal upon the lips of the curious impertinence, he concluded his letter by writing, "I would say more, but a fellow is reading every word as I write it." "You lie, you scoundrel!" hastily exclaimed the Hibernian.

These memorialists seem somewhat exercised over the term "malicious." If a body applying for a charter makes it an essential provision of such application, that the charter of another body shall be repealed without its wish or consent, we really think that the term malicious is not inappropriate in defining such an action.

We will quote the assertions in this "memorial," and show how much credit is to be attached to them.

That there is "only one medical society in the District, where all licenses to practice must be obtained" is true, and it is no less true that every person who has applied for such license has received it when quibbled. But that there is only one society where "all advantages flowing from medical and professional discussion were to be enjoyed," or that "it became the duty of these colored physicians to obtain license and membership in order to keep up their medical education," are falsifications, and no one knows that better than some of the signers of the memorial, for they are aware that there are two other societies for medical discussions in the District, one of which limits its membership in the belief that there is more opportunity for medical improvement in a small society than a large one. They know also that there is room here for more, and that any number of medical men who may desire to do so can organize such societies at their pleasure.

That the medical society ever acknowledged that "the color of the candidates was the reason" for refusing them membership, is another perversion of the truth. Whatever certain members may have individually admitted as to the motives by which they were personally influenced in casting their ballots, the society has never assigned any reason for the refusal of membership, and has no power to limit any member in the free use of his ballot according to his individual preferences, or (if the word will suit some people better) prejudices. Neither had it the right to interfere with the secrecy of such ballot.

The very few members who voted for the admission of the aforesaid candidates have sought no concealment of their votes, and among them a few several who have no connection or sympathy with this new society.

Another assertion in the "memorial" with

respect to the society and these colored physicians is, that "some of its members have refused to consult with them because they were not members of the society." No member of the society could have based a refusal on such a ground, for every member knows that the society has no rule regulating consultations, and has never had the power to make such a rule. Those among the signers of this memorial who are members of the medical society have been notoriously in the habit of holding such consultations and associations, and they cannot, with truth, mention a single instance in which the society has ever even rebuked them for it, or in any manner exercised discipline upon them, or claimed any jurisdiction in the matter. It has even, with a forbearance of very doubtful propriety, refrained from expelling those members who are openly working for its destruction.

It is also asserted that "January 3, 1870, by a vote of 26 to 10, the society refused to consider a resolution which reads as follows, viz:

"Resolved, That no physician (who is otherwise eligible) should be excluded from membership on account of his race or color."

This is another impudent perversion of the truth, for the resolution was at that time unquestionably out of order, and the President so decided it under the rules. Although the society had had a long session and had a large amount of unfinished business before it, yet the resolution was, without objection, allowed to be read for information and its proposer was courteously and silently heard while he advocated its consideration; after which a motion was made to suspend the rules for its consideration, which, on being put to vote, evidently failed by so large a majority that a division was not asked for, and we are at a loss to know how the signers of the memorial have ascertained so accurately the exact vote.

It is true that when the colored physicians applied for membership the board of examiners recommended them. But this is no proof that a majority of the board deemed their election expedient or desirable, or that they even voted for them when the ballot was taken. The board may have considered it to be their duty to recommend anyone to whom they had granted a license, or the board may have been unwilling to have concentrated upon their small body the odium of a refusal to recommend, and to have therefore thrown the responsibility upon the society as a whole. This however is conjecture; we were not in the confidence of the board.

It is false "that at the last election of officers in this society, held January 3, 1870, the chairman of this board was removed," for by the rule of the society, uniformly acted upon from its foundation, the tenure of all the offices expired with the year; nor is it less untrue that "a gentleman, late of the Confederate army, was elected in his place," the present chairman, his successor, having been a resident practitioner of this city without any interruption during the whole war.

That any gentleman "was objected to solely on the ground that he was believed to be in favor of the admission of colored members" can be traced only to the fact that a member inquired if he was one of those applying to Congress for the repeal of the charter of the society. Do these memorialists suppose that the society is composed of worms groveling enough to elect without inquiry men supposed to be advocating its destruction?

The memorialists seem to think the fact that the meetings of society "are conducted under strictly parliamentary rules" a complete refutation of the statement in the "appeal" that the weekly meetings "are of the nature of social reunions." The society of

illustrious gentlemen, known throughout the world as the Pickwick Club, conducted its meetings under parliamentary rules; yet it was preeminently social in its character.

We think that we have thus shown how, in nearly every paragraph of this memorial, truth has been tortured until its resemblance can scarcely be detected.

"See skulking truth to her old cavern fled,  
Monstrous of casuistry help'd o'er her head!"

We hope that we have furnished a rope by which she may be recovered from the bottom of so deep a well.

In accumulating these wrongs, Mr. Sumner, on February 8, 1870, from the Committee on the District of Columbia, submitted, in the Senate of the United States, "a bill to repeal the charter of the Medical Society of the District of Columbia," accompanied by a report in which we find reiterated statements with respect to the connection of the Medical Society of the District of Columbia with the Medical Association of the District of Columbia, which, we thought, had been related satisfactorily to the minds of all the members of that committee, including Mr. Sumner himself.

The Senator in this report accuses the society of acts of tyranny condemned by reason and humanity; of "a plain evasion, which is a characteristic cover for unworthy incidents;" of "apologetic pretenses;" of becoming a "nuisance and a shame," and of making "a pretension which must bring discredit upon the medical profession in our country."

The committee had before them a pamphlet bearing on its cover in capital letters the information that it contained the act of incorporation, constitution and by-laws of the Medical Society and regulations of the Medical Association of the District of Columbia, and within the covers the matter belonging to the two bodies was still further separated by a distinct title page for each.

The association is composed of persons who are either licentiates or members of the Medical Society, and members could not possibly be found here to compose any voluntary medical club or association who are not such, for the law requires that all practitioners, without exception, shall have such license. The members of each having therefore an interest in becoming familiar with the laws of the other, such laws were printed in the same pamphlet for the sake of convenience and cheapness, each separate body bearing its quota of the expense and receiving its share of the pamphlets when printed, and this is the only connecting link between the two bodies.

On the appearance before the Senate committee, this difference having been explained, the chairman of that committee afterwards undertook to close the mouths of speakers whenever any effort was made to say anything about the association, saying that the committee understood that the bodies were totally distinct, and that the association being entirely a voluntary body, the committee had nothing whatever to do with it. Yet in spite of this the author of the report to the Senate makes the regulations of the association the ground for assertions that the charter of the society has been violated. With all this information before him the mind of the author of the report must be exceedingly obtuse, darkened by prejudice, or he must be a wilful perverter of the truth.

The fact that it is a pre-requisite to membership in the medical association that the candidate should be a licentiate or member of the medical society is no proof of a connection between the society and the association. The association has in this instance merely taken advantage of work already done by the society,

giving full credence to the certificate of the society, and thereby saving the trouble of an examination into the professional qualifications of the applicant. The person who can see how this makes the society responsible for the acts of the association must be gifted with a perspicacity superior to that of ordinary mortals. If a majority of the Senators should see fit to form a Senatorial club and enforce a rule that no application should be received until the person making it should produce proof that he had been regularly inducted into his seat as a Senator, that would not make the Senate responsible for the acts of the club.

The medical society has no right to know and takes no notice of the acts of the medical association, of the Clinico-Pathological Society, or of the Medical Association of Georgetown, all composed entirely of persons who are members of the Medical Society of the District of Columbia. We believe that nearly all the members of this new society, called the National Medical Society, are either members or licentiates of the Medical Society of the District of Columbia.

There is just as much connection between these bodies and the society as there is between it and the association. Yet, forsooth, regulations of the association are quoted in this report as violations of the charter of the medical society, and therefore, because the association makes such regulations, the charter of the society ought to be repealed. Could absurdity and malice go further?

The assertion in the report that the officers of the Medical Society and of the association are the same is without foundation, and gratuitously false. They are not now and never have been the same. They are elected in both bodies by ballot—in the society in January, and in the association in April of each year.

The colored men referred to are licentiates of the Medical Society, and as such are eligible to membership in the association. They have never applied for membership in that body, and consequently no one has a right to say that they have been excluded from it. White licentiates of the society who have never been elected to membership in the society have been elected members of the association at times varying from over thirty years ago to a very recent period, and there are now many licentiates and members of the society who are not members of the association.

There is a regulation of the association which forbids any member to refuse consultation with any other member. A practitioner of homeopathy must receive a license from the Medical Society if he applies for one and exhibits a proper diploma or passes examination, and there is no rule to prevent his becoming a member of the society if he can get votes enough to elect him; but under the above regulation of the association it would be manifestly absurd to elect him a member of the latter body, for there could be no consultation between persons of extreme and radical difference in belief and practice.

Mr. Sumner, in his report, quotes the regulation of the medical association forbidding its members to consult with practitioners who are not members thereof, and says that "some depart from it clandestinely—others openly. Some bravely challenge the censure of the society."

Astonishing temerity!

These men have affixed their signatures to the following obligation, viz:

"We, the undersigned, do approve of the Regulations and System of Medical Ethics adopted by the medical association of the city of Washington, and do agree on our honor to comply with the same."

Oa, brave! oh, excellent men! Oh, ye whom Senator Sumner delighteth to honor!

We must decline to imitate you, models set up for us by the Senator, for if such conduct be bravery, we glory in our cowardice. We are too cowardly to violate our plighted honor.

The Senator may think this, too, "simply a question of taste." We assure him that we are proud to differ with him in matters of taste, as well as of color.

That it was intended for the society to exercise discrimination in the choice to membership is evident from the terms of the charter. The charter was granted to twenty-two individuals, who were allowed the privilege of electing others into their body, if they deemed them qualified. There is nothing in its provisions requiring them to elect other members. They might have restricted the number of members to twenty-two, only electing to fill vacancies. They might have made experience in practice for a certain number of years a prerequisite for membership, or they might have imposed other conditions.

As the government of the society and the whole management of its affairs are in the hands of the members, it is neither surprising nor improper that the majority should occasionally show a disposition to retain that control in the hands of persons who have their confidence.

We repudiate as false and in keeping with the other shameless statements in this report that the society has done anything "in derogation of the equal rights of all." Neither has the society in its appeal made any "apologetic defences" or "excuses." Its appeal is not an apology, but a defence and protest against false accusations, and against a wanton attempt at oppression. The society is not ashamed of anything it has done, repents of nothing, and consequently has no apology to make to any one.

The appeal of the society asserts that the meetings of the society, "are of the nature of social reunions," and this is tortured into an admission that its meetings are only social and the intimation is thrown out in the report, that in consequence of this and the exclusion of the negro, it has become "a nuisance and a shame."

We have alluded above, in our examination of the memorial of the National Medical Society of the District of Columbia, to the umbrage taken at the society's claim that its meetings possessed somewhat of the social element, and at the effort therein made to prove this claim unfounded. Why really we are at a loss to know how to please these gentlemen. At one time we deserve destruction if we are not a social body, and at another we must be annihilated because we are. The society seems to be in the same strait as the poor lamb that was innocently and modestly drinking lower down in the stream than the wolf. These gentlemen being hungry, and having made up their minds to devour us, any excuse will answer. As to the indecency of selecting three or four individual members of the society by name as targets for Senatorial wrath, we have nothing to say further than that it is "simply a question of taste," and that we have reason to believe the charges to be as much perversions of the truth as the other statements in the "Report" and the "Memorial."

Will Congress, in obedience to the wishes of these memorialists and the author of this report, attempt to compel the medical society to choose into its body persons distasteful to a large majority of its members? Will it say to the society, "You may elect members, but you must elect such as we point out?" Has it said to Virginia, or Mississippi, or the District of Columbia, "We give you the right to



vote freely at elections, but you must vote for an occasional negro!" Is it a more serious offence for the members of the medical society to exercise a discrimination in the selection of their associates than for the managers of the Republican party to be exclusive in an inauguration ball, or for a certain class to be placed at the tail end of admissions to a Presidential levee? Will it take away this charter from the large majority of practitioners, from men who have grown up with the District, and are honored and respected here, to give it to a very small minority, chiefly new comers, the most of whom are men whose blood is only kept in circulation by the daily administration of Government or corporation patronage, and others who, if the sandy bricks of Howard University should to-morrow crumble into dust, would fall to pieces with it, as their sole occupation would be gone, and the source of their sustenance dried up?

The Senator, on December 9, in offering the resolution above referred to, remarked that he thought Congress could force the members of the Medical Society into consultations which their free choice would reject. Will he or Congress attempt it? A similar tyranny was witnessed 1800 years ago, when unwilling beasts were forced to contend with as unwilling beasts in the arena of the Coliseum at Rome.

We appeal to the Senators to reverse their thumbs and save us from this destruction.

Congress may have the power to enforce the threat of the Senator; but power exercised in one way may be a blessing, in another a curse. We have the power to crush any worm that may lie in our path. The Czar of all the Russias would not attempt the exercise of such despotism as that proposed; backed by his 3,000 armed Amazonian wives, the King of Dahomey might; but the Senator surely would not, even if he had the ability, desire to emulate any example he might set.

In this, so-called, free Government we, of this District, present the singular anomaly of being under a despotism. Congress is our Czar, our Sultan, our Dictator; it has exclusive jurisdiction over us. Will it use this authority as men who profess to be the advocates of free thought, free speech and free action should?

If this premeditated outrage should be perpetrated here, chartered bodies throughout the land would feel it to be a precedent for interference with the rights of them all. The colleges here derive their charters from the same source as the Medical Society; yet, with

the exception of the Howard University, they exercise the same discrimination in the selection of their professors and students as the Medical Society is now vituperated for using in the choice of its members. Banks, railroad and insurance companies use the same discretion in the election of their directors and other officers. If Congress interfere with these rights here we shall soon find the State Legislatures following the example. We shall find men compelled by force to admit the insane and fanatical crochets of those in power, and we shall be reduced to a slavery of opinion worse than that of the body. For the slavery of the bodies of four millions of negroes we shall have substituted a despotism over the minds of forty millions of white men.

"Who will array himself on the side of this wrong?"

The chains of the negro, against which there has been such an outcry, were coarse, rough and visible, and therefore, likely to arouse resistance, but these which are being wrought about us, like those forged by Vulcan to entrap his wretched wife and her paramour, are invisible, but powerful and the more dangerous from their very concealment.

Medical men, as a class, care only a danger when they are oppressed, for then their sole care is to defend their liberty."

The blow aimed at the Medical Society of this District is one directed against the liberties of the medical profession throughout the country; its members will fraternize against such oppression. Let them be aroused, and they will be found an engine of political power. The mass of them will not be so lost to shame as quietly to submit to the degradation of their brethren, and they will perceive in this tyranny but a forerunner of worse attempts upon the liberties of the masses of the people. The opinions of medical practitioners are generally respected by their patients upon other matters than medical; they are men of education and refinement, many of whom it would be insulting to class otherwise than as at least the peers of the best men in the Senate of the United States in intellectual ability.

More than sixty thousand of them, (51,543 by the census of 1890) traveling from house to house in daily intercourse with the people, can wield an influence that it would be well for even Congress not to despise.

HAIRLITES.